

09-22-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HEALTH CARE AND RETIREMENT
CORPORATION OF AMERICA,

Potential Opposer,

v.

SANARUS MEDICAL, INC.,

Applicant.

OPPOSITION NO.

COMMISSIONER FOR TRADEMARKS
TRADEMARK TRIAL AND APPEAL BOARD
2900 CRYSTAL DRIVE
ARLINGTON, VA 22202-3513

THIRD REQUEST FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION

RE: APPLICATION NO.: 78/123,506
MARK: CIRCLE OF CARE
APPLICANT: SANARUS MEDICAL, INC.
FILED: APRIL 23, 2002
PUBLISHED: JUNE 17, 2003

Dear Sir:

Potential Opposers request that the time for filing an opposition against Application Serial No. 78/123,506 for the mark **CIRCLE OF CARE**, filed by **SANARUS MEDICAL, INC.** be extended by an additional sixty (60) days, up to and including **December 14, 2003**.

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

MAILED

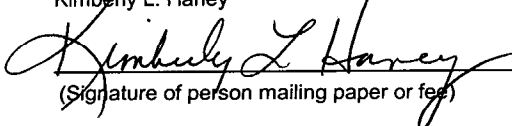
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☒ Deposited with the United States Postal Service on September 19, 2003 with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Trademarks, BOX TTAB - NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

☐ transmitted by facsimile on [date] to the U.S. Patent and Trademark Office telefax number .

Type Signature Name

Kimberly L. Haney


(Signature of person mailing paper or fee)

(Signature of person mailing paper or fee)

Potential Opposer and Applicant are in negotiations to resolve this matter and need additional time to attempt to resolve this matter without an opposition. This request to extend time is not being filed for the purpose of delay.

Applicant's attorney, Susan L. Crockett, consented to this extension during a teleconference on or about September 18, 2003.

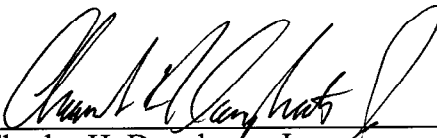
This Request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Date: September 19, 2003

Respectfully submitted,

HEALTH CARE AND RETIREMENT
CORPORATION OF AMERICA

By:



Charles H. Dougherty, Jr.
Attorney for Potential Opposers

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September 19, 2003

Commissioner for Trademarks
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RE: APPLICATION NO.: 78/123,506
MARK: CIRCLE OF CARE
APPLICANT: SANARUS MEDICAL, INC.
FILED: April 23, 2002
PUBLISHED: June 17, 2003

Dear Commissioner:

Enclosed please find Third Request for Extension of Time to File Notice of Opposition, in triplicate.

Very truly yours,

REED SMITH LLP

By:

Charles H. Dougherty, Jr.

CHD:klh

Enclosures

cc: Susan L. Crockett, Esq. (w/encl.)
David K. Nees, Esq. (w/encl.)
Gene A. Tabachnick, Esq. (w/o encl.)

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